OCT. 17. 2008 3:39PM

J&J PATENT INFO SVCS

NO. 7107 RECEIVED **CENTRAL FAX CENTER** 

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

OCT 1.7.2008

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FRE and FUBLICATION FRE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block I, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FPP ADDRESS" for maintenance fee notifications Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmitted. This certificate cannot be used for any other accompanying papers. Each additional peter, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. CHERRYT CORFESTONLENCE ADDIRESS (Blots) the Block I for my desire of outreest 27777 7590 05/20/2008 Certificate of Mailing or Transmission
I hereby certify that this Ferr(s) Transmistal is being deposited with the United States Feathal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop 185UE FEE address above, or being facesimale transmitted to the USPTO (571) 273-2885, on the date indicated below. PHILIP S. JOHNSON JOHNSON & JOHNSON ONE JOHNSON & JOHNSON PLAZA NEW BRUNSWICK, NJ 08933-7003 Christine Cuffe Clure **Ž**008 Фан September CONFIRMATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. APPLICATION NO. END5096.0515521 1279 10/815.004 03/31/2004 Andrew T. Beckman title of invention: Marker Device and Method of Deploying a Cavity Marker using a surgical biopsy device APPLN. TYPE SMALL ENTITY ISSUE PEE DUE Publication fee dub | Prev. Paid Issue fee TOTAL FEE(S) DUE DATE DUE \$1440 5300 51740 09/22/2008 nonecovisional EXAMINER CLASS-SUBCLASS ART UNIT TOWAL RENE T 600-567000 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively. Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached. (2) the name of a single firm (having as a member a registered attenney or agent) and the names of up to 2 registered patent alterneys or agents. If no name is listed, no name will be printed. The Address" indication (or "Fee Address" Indication form PTO/SB47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee dath will appear on the parent. If an assignee is identified below, the document has been filled for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filling an assignment. Recorded: 11/15/2004 (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) Reel/Frame: 016005/0034 Cincinnati, Ohio Ethicon Endo-Surgery, Inc. Pleans check the appropriate assignce category or categories (will not be printed on the potent): Diedividual Carponation or other private group entity Dievernment 4n. The following fee(s) are submitted: 4b. Payment of Fee(s): (Please first reapply any previously publissue for shown above) A Issue Fee A check is enclosed. Payment by credit card. Form PTO-2038 is attached. Publication Fee (No small entity discount permitted) The Director is bereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 10-100 (enclose an extra copy of this form). Advance Order - # of Copies 5. Change in Entity Status (from status indicated above) a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. Applicant is no longer claiming SMALL ENTITY status. See 37 CPR 1.27(g)(2). NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Tendernath Office. September 9, 2008 /Gerry S. Gressel/ Authorized Signature Typed ox printed name Gerry S. Gressel Registration No. 34.342 This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is so file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, repeating, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the smooth of time you require to complete this form analyst stygetions for reducing this budge, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commence, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND PEPS OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Fatence, P.O. Box 1450. Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid CMB control number,

OMB 0651-0033

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

10/20/2008 PCHOMP1 00000002 100750 10815004 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE 1440.00 DA

01 FC:1501 02 FC:1504

300.00 DA